PENDING CLAIMS AS AMENDED

Please amend the claims as follows:

1. (Currently amended) ~~In a communication system for communication of data, a~~ A method comprising:

detecting a request for opening a connection ~~for a user~~ between an access terminal and a data network for communication of data;

detecting a plurality of pre-existing open connections in an access network between the access terminal and the data network;

selecting [[an]] one of the pre-existing open ~~connection~~ connections based in part on data traffic activity of the pre-existing open connections, each pre-existing open connection being in one of a busy open state or an idle open state;

releasing said selected pre-existing open connection; and

allocating, to said ~~user~~ access terminal, communication resources corresponding to ~~resources released based on said releasing~~ said released, selected pre-existing open connection.

2. (Original) The method as recited in claim 1 wherein said selected open connection is in an idle open state.

3. (Original) The method as recited in claim 1 wherein said selected open connection is in a busy open state.

4. (Currently amended) The method as recited in claim 1 further comprising:

determining whether an open connection is in an idle open state ~~in said communication system~~; wherein said selected open connection is said determined open connection in said idle open state.

5. (Previously Presented) In a communication system for communication of data, a method comprising:

detecting a request for opening a connection for a user for communication of data;

determining whether two or more open connections are in an idle open state;

selecting an open connection, from said two or more open connections in said idle open state, with a longest idle open state connection time;

releasing said selected open connection; and

allocating, to said user, communication resources corresponding to resources released based on said releasing said selected open connection.

6.   (Original) The method as recited in claim 1 further comprising:

determining whether two or more open connections are in an idle open state;

determining an open connection, from said two or more open connections in said idle open state, used to transfer a predetermined amount of data in a predetermined period of time; wherein said selected open connection is said determined open connection used to transfer said predetermined amount of data in said predetermined period of time.

7.   (Original) The method as recited in claim 6 wherein said predetermined amount of data is a largest amount of data transferred by a user of users of said two or more open connections in said idle open state.

8.   (Original) The method as recited in claim 1 further comprising:

determining whether two or more open connections are in an idle open state;

determining an open connection, from said two or more open connections in said idle open state, used to transfer data at a predetermined data rate in a predetermined period of time; wherein said selected open connection is said determined open connection used to transfer data at said predetermined data rate in said predetermined period of time.

9.   (Original) The method as recited in claim 8 wherein said predetermined data rate is a highest data rate used by a user of users of said two or more open connections in said idle open state.

10.   (Original) The method as recited in claim 8 wherein said predetermined period is a period before a user of users of said two or more open connections in said idle open state moves to said idle open state.

11.   (Original) The method as recited in claim 1 further comprising:

determining whether two or more open connections are in an idle open state, wherein said selecting is based on a random selection from said two or more open connections in said idle open state.

12.   (Original) The method as recited in claim 1 further comprising:

determining whether two or more open connections are in an idle open state,

determining an open connection from said two or more open connections in said idle open state with a longest combined idle open state connection time and busy open state connection time; wherein said selected open connection is said determined open connection with said longest combined idle open state connection time and busy open state connection time.

13.   (Original) The method as recited in claim 1 further comprising:

determining whether an open connection is in a busy open state and no open connection is in an idle open state; wherein said selected open connection is said open connection in said busy open state.

14.   (Original) The method as recited in claim 1 further comprising:

determining whether two or more open connections are in a busy open state and no open connection is in an idle open state;

determining an open connection from said two or more open connections with a longest busy open state connection time; wherein said selected open connection is said determined connection from said two or more open connections with said longest busy open state connection time.

15.   (Original) The method as recited in claim 1 further comprising:

determining whether two or more open connections are in a busy open state and no open connection is in an idle open state;

determining an open connection from said two or more open connections used to transfer a predetermined amount of data in a predetermined period of time; wherein said selected open connection is said determined open connection used to transfer said predetermined amount of data in said predetermined period of time.

16. (Original) The method as recited in claim 15 wherein said predetermined amount of data is a largest amount of data transferred by a user of users of said two or more open connections in said busy open state.

17. (Original) The method as recited in claim 15 wherein said predetermined period is a period after a user of users of said two or more open connections in said busy open state move to said busy open state.

18. (Original) The method as recited in claim 15 wherein said predetermined period of time is a period of time immediately preceding said determining said open connection from said two or more open connections used to transfer said predetermined amount of data in said predetermined period of time.

19. (Original) The method as recited in claim 1 further comprising:

determining whether two or more open connections are in a busy open state and no open connection is in an idle open state;

determining an open connection from said two or more open connections in said busy open state used to transfer data at a predetermined data rate in a predetermined period of time; wherein said selected open connection is said determined open connection used to transfer data at said predetermined data rate in said predetermined period of time.

20.   (Original) The method as recited in claim 19 wherein said predetermined data rate is a highest data rate used by a user of users of said two or more open connections in said busy open state.

21.   (Original) The method as recited in claim 19 wherein said predetermined period of time is a period of time immediately preceding said determining said open connection from said two or more open connections in said busy open state used to transfer data at said predetermined data rate in said predetermined period of time.

22.   (Original) The method as recited in claim 1 further comprising:

determining whether two or more open connections are in a busy open state and no open connection is in an idle open state;

determining an open connection from said two or more open connections with a longest combined idle open state connection time and busy open state connection time; wherein said selected open connection is said determined connection with said longest combined idle open state connection time and busy open state connection time.

23.   (Currently amended) The method as recited in claim 1 further comprising:

determining at least an open connection in a busy open state and at least an open connection in an idle open state ~~in said communication system~~; wherein said selected open connection is one of said least open connections.

24.   (Original) The method as recited in claim 23 wherein said least open connections include two or more open connections in said busy open state and two or more open connections in said idle open state, further comprising:

determining an open connection from said two or more open connections with a longest idle open state connection time; wherein said selected open connection is said determined open connection with said longest idle open state connection time.

25.   (Original) The method as recited in claim 23 wherein said least open connections include two or more open connections in said busy open state and two or more open connections in said idle open state, further comprising:

determining an open connection from said two or more open connections with a longest busy open state connection time; wherein said selected open connection is said determined open connection with said longest busy open state connection time.

26.   (Original) The method as recited in claim 23 wherein said least open connections include two or more open connections in said busy open state and two or more open connections in said idle open state, further comprising:

determining an open connection from said two or more open connections used to transfer a predetermined amount of data in a predetermined period of time; wherein said selected open connection is said determined open connection used to transfer said predetermined amount of data in said predetermined period of time.

27.   (Original) The method as recited in claim 26 wherein said predetermined amount of data is a largest amount of data transferred by a user of users of said two or more open connections in said busy open state and said idle open state.

28.   (Original) The method as recited in claim 26 wherein said period of time is a period of time immediately preceding said determining said open connection from said two or more open connections used to transfer said predetermined amount of data in said predetermined period of time.

29.   (Original) The method as recited in claim 23 wherein said least open connections include two or more open connections in said busy open state and two or more open connections in said idle open state, further comprising:

determining an open connection from said two or more open connections used to transfer data at a predetermined data rate in a predetermined period of time; wherein said selected open

connection is said determined open connection from said two or more open connections used to transfer data at said predetermined data rate in said predetermined period of time.

30. (Original) The method as recited in claim 29 wherein said predetermined data rate is a highest data rate used by a user of users of said two or more open connections.

31. (Original) The method as recited in claim 29 wherein said predetermined period of time is a period of time immediately preceding said determining said open connection from said two or more open connections used to transfer data at said predetermined data rate in said predetermined period of time.

32. (Original) The method as recited in claim 23 wherein said least open connections include two or more open connections in said busy open state and two or more open connections in said idle open state, further comprising:

determining an open connection from said two or more open connections with a longest combined idle open state connection time and busy open state connection time; wherein said selected open connection is said determined connection with said longest combined idle open state connection time and busy open state connection time.

33. (Currently amended) The method as recited in claim 1 further comprising the step of:
detecting an overload condition in said ~~communication system~~ access network.

34. (Original) The method as recited in claim 33 wherein said detecting includes:
detecting a predetermined number of existing connections; wherein said overload condition is based on said number of existing connections.

35. (Original) The method as recited in claim 33 wherein said detecting includes:
monitoring utilization and activity of a reverse link; wherein said overload condition is based on a level of said utilization and activity.

36. (Currently amended) ~~In a communication system for communication of data, a~~ <u>A</u> method comprising:

detecting an overload condition in ~~said communication system~~ <u>an access network between an access terminal and a data network</u>;

selecting [[an]] <u>a pre-existing</u> open connection <u>among a plurality of pre-existing open connections</u> based in part on data traffic activity <u>of the open connections, each pre-existing open connection being in one of a busy open state or an idle open state</u>; <u>and</u>

releasing said selected open connection ~~based on~~ <u>in response to</u> said <u>detected</u> overload condition.

37. (Currently amended) The method as recited in claim 36 further comprising:

detecting a request for opening a connection ~~for a user~~ <u>between the access terminal and the data network</u> for communication of data; <u>and</u>

allocating, to said ~~user~~ <u>access terminal</u>, communication resources corresponding to ~~resources released based on said releasing~~ said <u>released,</u> selected open connection.

38. (Original) The method as recited in claim 36 further comprising:

detecting a predetermined number of existing connections; wherein said overload condition is based on said number of existing connections.

39. (Original) The method as recited in claim 36 wherein said selected open connection is in an idle open state.

40. (Original) The method as recited in claim 36 wherein said selected open connection is in a busy open state.

41. (Currently amended) ~~In a communication system, an~~ <u>An</u> apparatus comprising:

a resource manager for managing a plurality of resources in ~~said communication system~~ <u>an access network between an access terminal and a data network</u>; <u>and</u>

a plurality of connection controllers in communication with said resource manager for making requests for allocating communication resources to a connection;

wherein said resource manager is configured to ~~select one of said plurality of resources based in part on data traffic activity, to~~ detect a request for opening a connection ~~for a user~~ for communication of data between the access terminal and the data network, to detect a plurality of pre-existing open connections in an access network between the access terminal and the data network, to select a pre-existing open connection among the plurality of pre-existing open connections based on data traffic activity of the open connections, each pre-existing open connection being in one of a busy open state or an idle open state, and to release said ~~one of plurality of resources~~ selected open connection for allocating, to said ~~user~~ access terminal, communication resources corresponding to ~~resources released based on said release of~~ said released, selected ~~one of plurality of resources~~ open connection.

42.   (Original) The apparatus as recited in claim 41 wherein said selected open connection is in an idle open state.

43.   (Original) The apparatus as recited in claim 41 wherein said selected open connection is in a busy open state.

44.   (Currently amended) ~~In a communication system for communication of data, a~~ A method comprising:

detecting a request for opening a connection ~~for a user~~ between an access terminal and a data network for communication of data;

determining whether an open connection is in an idle open state in ~~said communication system~~ an access network between the access terminal and the data network;

selecting said idle open state connection based in part on data traffic activity of said idle open connection and other open connections;

releasing said selected idle open state connection; and

allocating, to said ~~user~~ access terminal, communication resources corresponding to ~~resources released based on~~ said ~~releasing~~ released, selected idle open connection.

45.   (Currently amended) ~~In a communication system for communication of data, a~~ A method comprising:

detecting a request for opening a connection ~~for a user~~ between an access terminal and a data network for communication of data;

selecting [[an]] a pre-existing open connection in an access network between an access terminal and a data network based on a grade of service assigned to said pre-existing open connection and data traffic activity of the pre-existing open connection;

releasing said selected open connection; and

allocating, to said user, communication resources corresponding to ~~resources released based on said releasing~~ said released, selected open connection.

46.   (Original) The method as recited in claim 45 wherein said selected open connection is in an idle open state.

47.   (Original) The method as recited in claim 45 wherein said selected open connection is in a busy open state.

48.   (Original) The method as recited in claim 45 further comprising:

determining whether an open connection is in an idle open state in said communication system; wherein said selected open connection is said determined open connection in said idle open state.

49.   (Previously Presented) In a communication system for communication of data, a method comprising:

detecting a request for opening a connection for a user for communication of data;

selecting two or more open connections based on a grade of service assigned to said open connections;

determining whether two or more of the selected open connections are in an idle open state;

selecting an idle open connection, from said two or more selected open connections in said idle open state, with a longest idle open state connection time;

releasing said selected idle open connection; and

allocating, to said user, communication resources corresponding to resources released based on said releasing said selected idle open connection.

50. (Previously Presented) In a communication system for communication of data, a method comprising:

detecting a request for opening a connection for a user for communication of data;

selecting two or more open connection based on a grade of service assigned to said open connections;

determining whether two or more of the selected open connections are in an idle open state;

selecting an idle open connection, from said two or more selected open connections in said idle open state, used to transfer a predetermined amount of data in a predetermined period of time;

releasing said selected idle open connection;

allocating, to said user, communication resources corresponding to resources released based on said releasing said selected idle open connection.

51. (New) The method of Claim 1, wherein the access network is a code division multiple access (CDMA) network configured to communicate wirelessly with the access terminal.